

EXHIBIT A

[businessinsider.com](https://www.businessinsider.com)

Tesla Model 3 scrap high at Gigafactory

Linette Lopez

10-13 minutes

Tesla is wasting a jaw-dropping amount of raw material and cash to make the Model 3.

Internal documents reviewed by Business Insider show that the company expects that as much as 40% of the raw materials used to produce batteries and driving units manufactured at Tesla's Gigafactory in Nevada need to be scrapped or reworked by employees before they are sent to Tesla's factory in Fremont, California, and assembled into Model 3s. The documents were dated in the first quarter.

That is to say, for every 2,500 battery packs and driving units that leave the Gigafactory, an additional 1,000 pieces of "nonconforming material" is created. Half of that will be reworked and put into other car parts. The other half becomes scrap.

Tesla has spent almost \$150 million on scrap materials so far this year, according to internal estimates Business Insider has seen. That number does not include the overhead cost of creating that scrap (energy, labor hours, etc.). Tesla reported manufacturing 9,766 Model 3s in the first quarter of this year.

Tesla told Business Insider that \$150 million was an overstatement.

"As is expected with any new manufacturing process, we had high scrap rates earlier in the Model 3 ramp. This is something we planned for and is a normal part of a production ramp," Tesla said in a statement to Business Insider.

"Indeed, we have always explained that Model 3 margins would increase after costs begin to fall from elevated scrap and other early ramp issues — and they have. Our scrap rate for batteries has decreased by almost 60% since January as we have improved our manufacturing processes. It's also important to remember the reason we scrap parts: because we want to ensure that only the highest-quality parts are used to create the best vehicles for our customers. This is a part of the reason why Tesla's customer-satisfaction scores for Model 3 vehicle quality and condition are at an all-time high of 93%."

Whether or not Tesla is improving its process, this kind of inefficiency is expensive, especially so early in the process, industry experts told Business Insider. The Gigafactory manufactures the batteries and drive units (the electric motor, inverter, and gearbox) that go into Tesla's new much vaunted — but also much troubled — Model 3.

This is all a byproduct of the march to reach Tesla CEO Elon Musk's manufacturing target of [5,000 Model 3s per week by July](#).

What it is not a part of is Tesla's overarching goal of building eco-friendly cars, or Musk's ambition to create the most efficient and technologically impressive auto-manufacturing process the world has ever seen. The process has been frustrated by battery-supply issues and bottlenecks, by overautomation and recalcitrant robots

— and it doesn't seem as if that's over by any means.

"That seems like just an awful lot of money," Rebecca Lindland, a senior director and executive analyst at Kelley Blue Book, told Business Insider. "As an investor, I'd ask: Is this a good use of my funds? And what kind of transparency is going on here?"

Lindland added: "When I've seen scrappage piles, it's a handful of units — front bumpers, door panels, and maybe you'll see a crate of 20 pieces ... You can't sustain a 20% rate of scrap and expect to make money."

Gigawhat?

In its first-quarter earnings report, Tesla told investors that it had "largely overcome this bottleneck" in its battery-module line at the Gigafactory.

But internal documents reviewed by Business Insider and an employee familiar with the matter who asked to remain anonymous tell a different story — one of incredible waste, hasty manufacturing, and continuous problems. "[Production hell](#)," as Musk has called it, is still a chaotic scramble of issues.

A specific example for you: In February, a misprogrammed robot that handles battery modules repeatedly punctured through the plastic housing (called a clamshell) and into some battery cells, the employee said, adding that instead of scrapping all the modules, some were fixed with adhesive and put back on the manufacturing line. According to internal documents Business Insider reviewed, this foible affected more than 1,000 pieces.

A Tesla representative said that the incident affected far fewer parts and that none of the punctured ones were released back to the

manufacturing process. But Business Insider reviewed an internal log that showed the parts were put into hundreds of vehicles. We sent Tesla an identification number for one of the cars, and the company would neither confirm nor deny that the piece was in a finished vehicle. It said only that if the piece were a safety concern, it would not be used.

In mid-April, thousands of bandoliers (a part used to create battery modules) were manufactured with an adhesive that was mixed incorrectly, according to the employee. Images shared with Business Insider show these parts sitting on the Gigafactory floor.

Tesla denies the claim.

A Tesla spokesperson said that the pieces are neither connected nor energized, and that they are being kept in a temperature-controlled room. The company insisted that they pose no safety threat.

The cost of scrap has become so dramatic that, internally, Tesla documents sometimes quantify the amount of money wasted by comparing it to another eye-popping number — like the scrap cost's equivalent measured in miles of \$5 footlong Subway sandwiches (137.11 miles, in one case).

Two charts showing inverter scrap costs from the start of the year to the end of May were accompanied by a calculation of how many new Model 3s someone could buy with the money wasted — 103.42 cars, to be exact.

A similar set of charts calculating scrap costs for rotors noted that it could have purchased 4,878 hats for Musk's Boring Company, [priced at about \\$20 apiece](#).

Business Insider also reviewed dozens of pictures of scrap piled high inside the Gigafactory. Some of it is flammable material used to create lithium batteries. Our source said some of these batteries presented a hazard as they're connected. Tesla said that was patently false, that all nonconforming materials are kept in a temperature-controlled room, and that they pose no safety threat.

What's more, our source said that a significant amount of scrap was stored at a warehouse on Gigafactory's campus off of Ireland Drive. Tesla said that wasn't the case and that the Ireland Drive facility houses only parts received from suppliers.

Gigawho?

During Tesla's first-quarter earnings call, Musk said some of the bottlenecks Tesla was experiencing were due to overautomation. To fix that, he told investors, Tesla "temporarily reduced automation in these areas and introduced semi-automated or manual processes."

Basically, he turned off some of the machines. That alone had industry analysts we spoke with raising an eyebrow. Machines, when useful, are supposed to provide services humans can't, like consistent quality and torque, on top of lifting heavy objects. If they aren't useful, though, turning them off shouldn't matter.

Either way, the employee told Business Insider that the process for deciding what stays on and what goes off had been less than scientific at times. Some machines in the Gigafactory have been turned off simply because they added more time to the manufacturing process than Musk liked when he observed them working on the Gigafactory floor.

An example: In May, Gigafactory employees turned off the

"criticality" of the "genealogy" on a specific component in the Tesla battery pack, according to an internal email viewed by Business Insider.

In layman's terms, that means they bypassed putting a tracking system on that specific part (the bandolier) in that stage of the manufacturing process to speed things up.

It's common practice for automakers to create a [genealogy](#) for every part in a car. That way, if something goes wrong, the part's source manufacturer, production time, serial number, lot number, expiration date, and more can all be traced. It follows the part through its entire life in the manufacturing process before it gets to your car. This is especially important during recalls because it ensures that companies can locate potentially defective parts.

Now that's no longer the case for at least one part in the Gigafactory-made batteries. Tesla said they were being tracked by lot number because laser-etching the parts individually was causing them to be scrapped. The company did not provide Business Insider the number of parts in a lot or explain why that was the case. It said that while it would not get into internal procedures, any modifications it made to the genealogy were to make the process better.

"[Musk's] obsession with production speed — he might achieve it, but at what cost?" Mark Schirmer of Cox Automotive said.

"Reaching 5,000 in June or July is going to be a small success if there's further pain down the road."

Tesla has never turned an annual profit — a source of consternation for Musk, who, though fairly intolerant of criticism, has acknowledged that Tesla ["isn't a real company"](#) until it does.

In the first quarter, the company's net cash used in operating activities increased by \$328.6 million from the same period a year before. This was in part because of the Model 3 ramp-up. Expense has not been spared, but what investors should ask themselves is: Could it have been?

"If he's going to be an auto manufacturer, he has to be held to auto-manufacturing standards," Lindland said. "If Honda or GM had these kinds of scrappage rates or waste, Wall Street wouldn't stand for that ... Nobody would be saying, 'You're just a hater.'"

If you have more information about manufacturing at Tesla, feel free to give me a shout at llopez@businessinsider.com.

EXHIBIT B

[businessinsider.com](https://www.businessinsider.com)

Tesla's new Gigafactory robots are not making batteries yet

Linette Lopez

5-6 minutes



[Flickr/jurvetsont/](https://www.flickr.com/photos/jurvetsont/)

- The robots [Tesla](#) had flown to its Nevada [Gigafactory](#) to hasten the building of [Model 3](#) batteries are not yet fully operational, according to a source inside Tesla who provided Business Insider with video.

- **The robots are part of the company's plan to ramp up Model 3 production and [build 5,000 Model 3s](#) by the end of June.**
- **A Tesla spokesperson disputed that the robots were supposed to be operational by this Sunday, contradicting Business Insider's source.**

The [new robots at Tesla's Gigafactory](#), which CEO [Elon Musk said would play a key role](#) in ramping up Model 3 production, are not yet up and running.

One massive machine meant to put together the modules that make up Tesla's battery packs is still not fully operational. Tesla aimed to have the new machine working by this weekend, according to a source at the company who requested anonymity. Business Insider has also seen video of the dormant machine, and at the time of this article's publication, it was still in test mode.

A spokesperson from Tesla told Business Insider confirmed that the robots are not yet operational, however, they disputed the idea that the robots were supposed to be up and running by Sunday. The spokesperson said the equipment was delivered before Memorial Day and has been getting installed during the last two weeks.

This machine was part of a high stakes, rare and expensive aerial delivery by auto industry standards. Tesla had it delivered in an effort to achieve its goal of getting the Gigafactory to produce enough batteries to make 5,000 Model 3 cars a week by the end of June.

Musk said that the Gigafactory was currently only a one-third of its planned size and that once it was completed it would be the biggest factory in the world.

"This one factory is making more batteries than all the other factories on Earth," Musk said. "It's like, epic. it's like two hours to walk through everything."

At Tesla's shareholder meeting on Tuesday, the company's CEO Elon Musk reaffirmed that Model 3 production has been difficult, but also said that the company could reach its 5,000 car target with the two general assembly lines it currently has. The company is currently adding a third assembly line at its Fremont factory and Musk said that with this new line, he was "very confident" the company would hit the target.

That may be true, [but internal documents leaked to Business Insider](#) show that that has come at an incredible cost. Tesla is scrapping an eye-popping amount of material in order to make the Model 3. Emails dating from the first quarter show that as much as 40% of what the Gigafactory was manufacturing into drive units and batteries ended up as nonconforming material.

Of that nonconforming material half would be reworked while the other half was scrapped. Internal estimates show the Gigafactory had blown through at least \$150 million in scrap from the beginning of this year to the end of May.

Tesla disputed the \$150 million number saying it was a gross exaggeration. It also said that it has decreased its scrap rate dramatically since the beginning of the year.

If you have more information about manufacturing at Tesla, feel free to give me a shout at llopez@businessinsider.com.

Get the latest Tesla stock price [here](#).

EXHIBIT C

From: Elon Musk
Sent: Monday, June 18, 2018 9:36 AM
To: Everybody
Subject: Re: Some concerning news

Late last night we had another strange incident that was hard to explain. Small fire on the body-in-white production line. No one was in the area and there were no injuries or significant equipment damage, but it was enough to stop the body production line for several hours.

Could just be a random event, but as Andy Grove said, "Only the paranoid survive." Please be on the alert for anything that's not in the best interests of our company. If you aren't getting a response from the emdesk email, please send me a note directly.

Thanks,
Elon

> On Jun 17, 2018, at 11:55 PM, Elon Musk <erm@tesla.com> wrote:

>

> I was dismayed to learn this weekend about a Tesla employee who had conducted quite extensive and damaging sabotage to our operations. This included making direct code changes to the Tesla Manufacturing Operating System under false usernames and exporting large amounts of highly sensitive Tesla data to unknown third parties.

>

> The full extent of his actions are not yet clear, but what he has admitted to so far is pretty bad. His stated motivation is that he wanted a promotion that he did not receive. In light of these actions, not promoting him was definitely the right move.

>

> However, there may be considerably more to this situation than meets the eye, so the investigation will continue in depth this week. We need to figure out if he was acting alone or with others at Tesla and if he was working with any outside organizations.

>

> As you know, there are a long list of organizations that want Tesla to die. These include Wall Street short-sellers, who have already lost billions of dollars and stand to lose a lot more. Then there are the oil & gas companies, the wealthiest industry in the world — they don't love the idea of Tesla advancing the progress of solar power & electric cars. Don't want to blow your mind, but rumor has it that those companies are sometimes not super nice. Then there are the multitude of big gas/diesel car company competitors. If they're willing to cheat so much about emissions, maybe they're willing to cheat in other ways?

>

> Most of the time, when there is theft of goods, leaking of confidential information, dereliction of duty or outright sabotage, the reason really is something simple like wanting to get back at someone within the company or at the company as a whole. Occasionally, it is much more serious.

>

> Please be extremely vigilant, particularly over the next few weeks as we ramp up the production rate to 5k/week. This is when outside forces have the strongest motivation to stop us.

>

> If you know of, see or suspect anything suspicious, please send a note to emdesk@tesla.com with as much info as possible. This can be done in your name, which will be kept confidential, or completely anonymously.

>

- > Looking forward to having a great week with you as we charge up the super exciting ramp to 5000 Model 3 cars per week!
- >
- > Will follow this up with emails every few days describing the progress and challenges of the Model 3 ramp.
- >
- > Thanks for working so hard to make Tesla successful, Elon

EXHIBIT D

From: erm@tesla.com
Sent: Wednesday, June 20, 2018 10:28 AM
To: Marty Tripp
Subject: Re: Termination/Lawsuit

There are literally injuries with Model 3. It is by far the safest car in the world for any midsize vehicle. And of course a company with billions of dollars in product is going to have millions of dollars in scrap. This is not news.

However, betraying your word of honor, breaking the deal you had when Tesla gave you a job and framing your colleagues are wrong and some come with legal penalties. So it goes. Be well.

> On Jun 20, 2018, at 10:03 AM, Marty Tripp <martytripp@icloud.com> wrote:

>

> I NEVER 'framed' anyone else or even insinuated anyone else as being involved in my production of documents of your MILLIONS OF DOLLARS OF WASTE, Safety concerns, lying to investors/the WORLD.

>

> Putting cars on the road with safety issues is being a horrible human being!

>

>

>> On Jun 20, 2018, at 10:00 AM, Elon Musk <erm@tesla.com> wrote:

>>

>> You should be ashamed of yourself for framing other people. You're a horrible human being.

>>

>>> On Jun 20, 2018, at 9:59 AM, Marty Tripp <martytripp@icloud.com> wrote:

>>>

>>> I never made a threat. I simply told you that you have what's coming.

>>>

>>> Thank you for this gift!!!!

>>>

>>>

>>>> On Jun 20, 2018, at 9:42 AM, Elon Musk <erm@tesla.com> wrote:

>>>>

>>>> Threatening me only makes it worse for you

>>>>

>>>>> On Jun 20, 2018, at 8:57 AM, Marty Tripp <martytripp@icloud.com> wrote:

>>>>>

>>>>> Don't worry, you have what's coming to you for the lies you have told to the public and investors.

EXHIBIT E

From: Shamara Bell </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=59AC3167AFA5424A91250C74438C2292-SHAMARA BEL>
To: Kristin Krerowicz
Sent: 6/20/2018 1:50:33 PM
Subject: Martin Trip: Possible Threat

Received a call

Caller preferred to remain unknown. Friend of Martin Tripp is concerned that he may do something violent & volatile. Says he is concerned because he's very hostile & very well armed.

Shamara Bell | Solar Technical Support

6671 S. Las Vegas Blvd. Ste 300, Las Vegas, NV 89119

p. (877) 961-7652 | SolarSupport@tesla.com

TESLA

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Please consider the environment before printing this email.

EXHIBIT F

From: Elon Musk
Sent: Wednesday, June 20, 2018 6:57 PM
To: Julia Wong
Cc: Dave Arnold;Press;Sarah O'Brien
Subject: Re: Query re: Martin Tripp and your emails

He initiated the email exchange this morning at 8:57am. I certainly would not have initiated contact, nor would I even know his personal email address, and it was probably unwise for me to have responded. This is what he sent:

From: Marty Tripp <martytripp@icloud.com>
Date: June 20, 2018 at 8:57:29 AM PDT
To: Elon Musk
Subject: Termination/Lawsuit

Don't worry, you have what's coming to you for the lies you have told to the public and investors.

On Jun 20, 2018, at 6:16 PM, Julia Wong <julia.wong@theguardian.com> wrote:

Hi Elon,

I am very concerned at the idea that there has been a threat made against Tesla or workers at the Gigafactory, and I hope that you all are safe. I would like to know more about this call. Can you tell me who received this phone call? Did the tipster identify themselves by name? Or just as a friend of Tripp's? Did the threat seem credible? Can you tell me which law enforcement agency you alerted and the name of the officer you spoke with?

Tripp says that you emailed him first, at his personal account, and called him an awful person, and that his response, that you "have what's coming to you" was not intended as a threat. If this is untrue and he emailed you first, please let me know.

Thanks,

Julia

On Wed, Jun 20, 2018 at 5:29 PM, Elon Musk <erm@tesla.com> wrote:

Tripp sent me a threatening email this morning. Below is the exchange. I was just told that we received a call at the Gigafactory that he was going to come back and shoot people. The police have been alerted and we have posted additional security. Our comms team can fill you in.

EXHIBIT G

Begin forwarded message:

From: Sarah O'Brien <sobrien@tesla.com>
Subject: Re: Query re: Martin Tripp and your emails
Date: June 20, 2018 at 5:55:50 PM PDT
To: Julia Wong <julia.wong@theguardian.com>
Cc: Dave Arnold <dwarnold@tesla.com>

Just so you have a statement for the tip we received and I've included some additional background below.

Attributed to a Tesla spokesperson:

"This afternoon, we received a phone call from a friend of Mr Tripp telling us that Mr Tripp would be coming to the Gigafactory to "shoot the place up." Police have been notified and actions are being taken to enhance security at the Gigafactory."

On background:

After being caught hacking Tesla's confidential and trade secret information and transferring it to third parties, Mr. Tripp is now claiming he is a "whistleblower." He is nothing of the sort. He is someone who stole Tesla data through highly pernicious means and transferred that data to unknown amounts of third parties, all while making easily disprovable claims about the company in order to try to harm it. As for Mr. Tripp's false claims:

EXHIBIT H



P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950

FELONY REPORT

Case
18-511

OFFENSES	Offenses 202.448	Description Making threats concerning acts of terrorism	Fel/Misd Felony	Date Occurred 06/20/2018	Time Occurred 1413 - 1938	Incident # 1806200044	
				Date Reported 06/20/2018	Time Reported 1413		
				Related Cases			
				Date Printed 07/25/2018	Time Printed 13:49:24	Printed By S116	
				Latitude 0.000000	Longitude 0.000000		
	Location Tesla, 1 Electric Ave, McCarran, NV 89434			Beat 5	Area 7	Disposition Suspended (leads exhausted)	
Location Type Warehouse		Location of Entry	Method of Entry	Point of Entry	Alarm System	Dispo Date	
						Means of Attack (Robbery)	
	Victim		Drivers License	Cell Phone	Email		
	Residence Address		Notified of Victim Rights	Residence Phone	DOB	Age	Sex
	Business Name and Address			Business Phone	Height	Wt	Race
	Assistance Rendered/Victim Disposition			Transporting Agency	Means of Attack (Assaults)		
	Description of Injuries			Other Information			
	Mentioned Shakal, Patrick Joseph		Drivers License	Cell Phone	Email		
	Residence Address			Residence Phone	DOB	Age	Sex
	Business Name and Address Tesla Gigafactory, 1 Electric Ave, Sparks, NV 89434			Business Phone	Height	Wt	Race
							Eyes
	Suspect Name			Action Taken	Charges		
	Residence Address			Residence Phone	DOB	Age	Sex
	Business Name and Address			Business Phone	Height	Wt	Race
	Identifying Features			Cell Phone	Drivers License	Arrest Number	
	Aliases						
VEHICLES	Status Mentioned Mentioned	Vehicle Make and Model 2015 Blue, Dark Ford Escape 2012 Green, Light Ford Fiesta		License/State	VIN 1FMCU0G74FUB25827 3FADP4EJXCM153093		
DEPUTIES	Prepared By S109 - Azevedo, Brandon	Date 06/20/2018	Assisted By S138 - Parker, Christopher	Approved By S033 - Bowers, Jeffrey	Date 07/02/2018		
	Routed To	Date	Routed To	Date	Notes		



STOREY COUNTY SHERIFF'S OFFICE

P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950
FELONY REPORT

Page 2

Case
18-511

Subject Tripp, Martin Alan		Drivers License [REDACTED]	Cell Phone [REDACTED]	Email			
Residence Address [REDACTED]		Residence Phone	DOB	Age	Sex	Race	
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes	



P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950

NARRATIVE

Page 1

18-511

Narrative:

On June 20, 2018 at approximately 1413 hours Deputy Carter, Deputy Hamblin and I were dispatched to an "active shooter threat" at 1 Electric Ave (Tesla).

Upon arriving on scene, Deputy Hamblin and I made contact with Deputy Carter and Sean Gouthro (Head of Tesla Investigations). I advised Gouthro that Chief Deputy Dosen was enroute to the scene.

Chief Deputy Dosen and Deputy Parker arrived on scene and made contact with Gouthro.

Gouthro stated that Tesla's call center in Las Vegas received a phone in which a female subject stated that she was friends with Martin Tripp who she described as being heavily armed and distraught and was on his way to "shoot up Tesla". Gouthro advised that they were able to verify the information in regards to Tripp being armed.

Chief Deputy Dosen was able to determine the address for Tripp. Chief Deputy Dosen requested the Sparks Police Department to drive to Tripp's place of residence ([REDACTED]) to see if they could make contact with Tripp.

Prior to receiving any more information about the incident or information about Tripp, I was released from duty for the day.

Deputy Parker stayed on scene and has further information in regards to this case.

See Deputy Parker's supplemental narrative.

Nothing further.

Prepared By:

S109 AZEVEDO, BRANDON

Date:

06/21/2018

Approved By:

S033 BOWERS, JEFFREY

Date:

07/02/2018

TRIPP01255

**Attachments:**

Body Camera footage - 180620_Interview with Tripp, Martin

Supplemental Narrative:

On 06/20/2018 at approximately 1440 hours Chief Deputy Dosen requested that I met him at 205 S. "C" St. (Storey County Sheriff's Office). Chief Dosen advised me that an active shooter threat had been received at 1 Electric Avenue (Tesla Gigafactory), located in the area of TRIC/McCarran, Storey County, Nevada. Chief Dosen and I doubled up in his marked patrol unit and proceeded to the Gigafactory.

Upon arriving at approximately 1506 hours, we made contact with Tesla head of security, GOURTHRO, SHAWN, outside of the main lobby. Also present were Deputies Hamblin, Carter, and Azevedo. Two NHP troopers arrived shortly thereafter. GOURTHRO provided us with copies of a "Be On the Lookout (BOLO)" flyer with a picture of a white adult male subject, identified as TRIPP, MATIN ALAN (REDACTED). GOURTHRO stated that Tesla had received an internal message at its Las Vegas call center earlier that day. The caller stated she was a female friend of TRIPP's, and advised that TRIPP was heavily armed and was headed to shoot up the Tesla Gigafactory.

After being briefed on the situation, Chief Dosen instructed all Deputies to remain in the general vicinity of the Gigafactory; conduct mobile patrols; and be on the lookout for a Navy/dark blue colored Ford Escape bearing (REDACTED) (later determined to be (REDACTED) that was associated with Tripp. I again doubled up with Chief Dosen in his unit, and we proceeded to the North access gate / main gate to the Gigafactory. There we took up a stationary position and assessed the vehicles entering the facility. While we were there, Chief Dosen had Dispatch contact Sparks Police Department (PD) and requested that they perform a drive-by of TRIPP's last known residence (REDACTED) and determine if he was there. At approximately 1621 hours, we were advised that Sparks PD had performed a drive-by, and that TRIPP's was not at the residence.

At approximately 1741 hours, Chief Dosen received a phone call from GOURTHRO, advising that TRIPP had been seen at a Safeway on Vista Blvd. in Sparks. We then made our way to that location after advising Sparks PD of our presence in the area. TRIPP was not located at the Safeway, and Chief Dosen and I linked up with a Sparks PD unit, who escorted us to TRIPP's residence where we again attempted to locate him. Neither TRIPP nor the vehicles associated with him were located at, or in the vicinity of his residence.

After departing from the area of TRIPP's residence, Chief Dosen contacted GOURTHRO and requested any contact information for TRIPP that Tesla had on file. GOURTHRO provided a phone number (REDACTED). Chief Dosen then contacted TRIPP, who stated that he was at the Nugget Casino with his family, and would be willing to meet with us. TRIPP indicated that he was not armed.

While making our way from TRIPP's residence to the Nugget, Chief Dosen received a phone call from GOURTHRO, which he placed on speaker phone. I heard GOURTHRO ask if "we made contact with

Prepared By:

S138 PARKER, CHRISTOPHER

Date:

06/25/2018

Approved By:

S085 KERN, ERIC MICHAEL

Date:

06/27/2018



him (Tripp)"; Chief Dosen Stated "Just made contact with him on the phone. He agreed to meet with us." Chief Dosen advised GOURTHRO that we were meeting Tripp at an undisclosed location, and GOURTHRO responded, "Is it [REDACTED]?" Chief Dosen did not confirm the location. When later asked how he knew this, GOURTHRO responded, "little birds sing."

At approximately 1843 hours Chief Dosen and I made contact with TRIPP under the east walkway of [REDACTED] next to the parking garage. Prior to interviewing him, I advised TRIPP that he was not under arrest and, with his consent, conducted a pat-down search of TRIPP; no weapons were found. TRIPP was visibly shaken and was crying. TRIPP was again advised by Chief Dosen that he was not under arrest, and asked if he wished to speak with us of his own free will. TRIPP stated that his life was in shambles and indicated that he would speak with us.

TRIPP stated that he had been employed at Tesla as a Process Engineering Technician since 10/09/2018, but had been fired on 06/15/2018. He advised that as part of his work duties, he had discovered numerous safety concerns with Tesla products, specifically a potential for, what he called, "runway thermal meltdown" in the batteries as well as what he believed to be evidence of ethical and environmental deception and waste, and punctured battery cells. After lack of attention to his concerns by Tesla, TRIPP stated that he decided to become "a whistle blower" and had contacted LYNETT LOPEZ of Business Insider, then JULIA WONG with The Guardian, and eventually DREW HARWELL of the Washington Post.

When questioned about the threat that had been received, TRIPP stated that he had not made any threat, and had not had access to Tesla's internal systems, software, or communications since 06/13/2018. He also stated that his access badge had been revoked on 06/14/2018. TRIPP stated that when he came to work on the 14th, an "HR guy," meet him and escorted him to a "small room with these two security guys, and they interrogated me [TRIPP] for six (6) hours from noon until like 6pm." After the interrogation, TRIPP advised that his badge was then taken and he was escorted off the property. The next day, 06/15/2018, TRIPP indicated that at approximately 0630 he was asked to come back to the Gigafactory. Due to his experiences the day prior, TRIPP indicated that he didn't want to go back on the property, but eventually agreed to meet at a "Security Trailer," where, according to TRIPP, he was again interrogated for approximately three (3) hours before being advised that he was terminated / no longer an employee.

TRIPP showed us a number of emails on his phone, which were between Telsa CEO, ELON MUSK, and himself, at his personal email address. When I asked him who had initiated the contact, TRIPP stated that he may be incorrect, but he believed that MUSK had sent an email first, stating that he [TRIPP] was an "evil human being." TRIPP then indicated that he had deleted the email, but had later responded to MUSK and showed us an email thread on his cell phone between the two of them.

When questioned about any weapons in his possession, TRIPP stated that he had sold all off his guns prior to moving out from Michigan, with the exception of a 9mm Hi-point carbine which he'd bought

Prepared By:

S138 PARKER, CHRISTOPHER

Date:

06/25/2018

Approved By:

S085 KERN, ERIC MICHAEL

Date:

06/27/2018

TRIPP01257



P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950

SUPPLEMENT 1

18-511

for his wife as a gift. When asked if any of his friends had weapons, TRIPP advised that a work colleague / friend named SHAKAL, PATRICK () owned many [firearms], and that "he wouldn't put it past him [SHAKAL], well, I wouldn't put it past Elon [MUSK] to make up story like this." He then advised that it was actually SHAKAL to whom he had recently sold his wife's Hi-point carbine.

Chief Dosen proceeded to inquire what TRIPP's plans were. He responded that out of fear for their safety, TRIPP had purchased a ticket for his wife and child to fly to () on 06/27/2018, where his wife had family. As for himself, TRIPP indicated that he would be remaining at () in hopes of avoiding the press, and planned to checkout on 06/23/2018.

Based upon our interview with him, Chief Dosen and I concluded that TRIPP was not armed; did not likely have access to firearms; and did not present a threat at that time. Chief Dosen notified our Dispatch and GOURTHRO that the active shooter threat was not viable at that time.

We departed the area at approximately 1919 hours, and returned to the Storey County Sheriff's Office in Virginia City, Nevada.

It is requested that a copy of the video footage from my body camera at the time of the interview with TRIPP be attached to this case.

Nothing Further.

Prepared By:

S138 PARKER, CHRISTOPHER

Date:

06/25/2018

Approved By:

S085 KERN, ERIC MICHAEL

Date:

06/27/2018

TRIPP01258



P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950

SUPPLEMENT 2

18-511

On 06/20/2018 at approximately 1412 hours, I received a phone call from Tesla Security Director Sean Gouthro regarding a possible active shooter situation that may possibly take place at any moment at the Tesla Gigafactory located in the Tahoe Regional Industrial Park in Storey County, Nevada.

Gouthro advised that he had just received a Tesla Internal Message from the Tesla Las Vegas Call Center stating that a recently terminated employee identified as Martin Tripp had made a phone call to another employee stating that he was heavily armed and heading to the Tesla Gigafactory located in Storey County to shoot it up.

I advised Gouthro that I would have Storey County Deputies working in the North respond to his location and I would be responding from Virginia City. Upon arriving at the Tesla Gigafactory, I made contact with Gouthro along with Storey County Deputies and Troopers from the Nevada Highway Patrol.

I received information from Gouthro of the two possible vehicles that subject Martin Tripp maybe driving. The first vehicle bearing Nevada Registration was [REDACTED] which came back to a 2015 Ford Escape Blue in color registered to Martin Tripp. The second vehicle bearing Nevada Registration was [REDACTED] which came back to a 2018 Ford Fiesta lime Green in color registered to Andrea Szikszai. Both of the listed vehicles were registered at an address of [REDACTED]

Gouthro provided me with the Tesla Internal Message that was sent from the Tesla Las Vegas Call Center to the Tesla Gigafactory regarding the possible actions regarding Martin Tripp. The message read as follows from Call Center employee Shamara Bell. " At 1:44 pm, we have an employee in Plant O&M that is on the phone with someone who is reporting that a former employee by the name of Martin Tripe He told her that he is heavily armed and headed for the Giga Factory".

I was then informed by Gouthro that he had just received information the Tripp was spotted at a Safeway Grocery Store located on Vista Blvd. I responded to that location and met up with a Sparks P.D. Unit and attempted to locate the possible two vehicles that Tripp may be driving. A canvas of the entire shopping center parking lot provided a negative result. We then proceeded to Tripps address of [REDACTED] to see if any of the vehicles Tripp maybe driving were at that location, a complete canvas of the apartment complex open air parking units were checked with a negative result. I contacted Gouthro to obtain if Tripp had a telephone contact number, Gouthro provided me a telephone number of [REDACTED] I advised Gouthro that I was going to attempt contact with Tripp and that I would advise the outcome from the conversation.

I made telephone contact with Tripp who advised that he was staying at [REDACTED] with his wife and infant son due to the press calling him and being outside his apartment complex looking to interview him in conjunction with the lawsuit filed by Tesla against him for multiple crimes. I asked Tripp if he had weapons and was in fact enroute to the Tesla gigafactory to shoot it up, he advised that he had no weapons and he had no intention of going anywhere near the Tesla

Prepared By:

S034 DOSEN, TONY

Date:

06/25/2018

Approved By:

S085 KERN, ERIC MICHAEL

Date:

07/13/2018

TRIPP01259



Gigafactory. I asked Tripp if he would be willing to meet in person and talk about the situation to which he advised to come to [REDACTED] and he would meet there. I made contact with Gouthro and advised him that I had contacted Tripp and that aTripp agreed to meet with me in person at an undisclosed location at which time Gouthro advised is the meeting at [REDACTED] I asked Gouthro how he knew that information to which he advised that a little birdie had told him.

Deputy Parker and I meet with Tripp at [REDACTED] Tripp was visibly shaken and crying. I asked Tripp what was going on, he advised again that he was in fear for the safety of his wife and infant son along with himself because of his whistle blowing claims against Tesla to newspapers and reporters and he had to get away from the chaos to figure out his next plan.

See recorded interview from Deputy Parker's body camera.

At the completion of talking with Tripp he advised that he was going to be at [REDACTED] for three days and then make arrangements to move his wife and son for their safety.

A short time later I received a phone call from Gouthro asking if I was going to make a statement to the press as to what had transpired on Tripp potentially shooting up the Gigafactory. I advised Gouthro that any press release if any would come directly from Sheriff Antinoro himself unless otherwise directed by him. Gouthro then asked if I would talk with Jeff Jones the Global Security Director for Tesla to which I advised that I would. I made contact with Jones who asked if I would or was going to talk to the press regarding the earlier situation involving Tripp. I advised Jones that any press release would come from Sheriff Antinoro himself unless otherwise directed, Jones acknowledged and thank me for our assistance in the matter.

On June 25, 2018 I made contact with Officer Ryan Kraft of the Las Vegas Metropolitan Police Department Central Command to see if they would be available to interview Shamara Bell the Tesla Call Center employee who received the initial telephone call regarding Tripp. Officer Kraft advised that he would contact an officer from the Southern Nevada Counter Terrorism Center. Later in the afternoon il received a email from Officer David Ballantyne who conducted an interview and obtained all pertinent requested information. According to information received through the Tesla Call Center, during the call they placed the caller on hold and goggled a news story about Tesla and Tripp. When she returned to the original caller she asked the individual if the caller was calling about subject Tripp. Due to the public knowledge being sent out regarding subject Tripp's termination the caller who stated he was a friend of Tripp's was concerned for the safety of the people working at Tesla due to Tripp's volatility. The caller stated that he had never heard Tripp directly make any threats regarding the Tesla Gigafactory.

Nothing further:

Prepared By:

S034 DOSEN, TONY

Date:

06/25/2018

Approved By:

S085 KERN, ERIC MICHAEL

Date:

07/13/2018



STOREY COUNTY SHERIFF'S OFFICE
P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950
SUPPLEMENT 3

Page 1

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Attachments:

None.

Narrative:

On 07/20/2018 at approximately 1045 hours, I was able to confirm the location of SHAKAL, PATRICK JOSEPH, but was not able to establish contact with him. In an effort to locate SHAKAL I had contacted Tesla head of security, GOURTHRO, SHAWN, who confirmed that SHAKAL was on-site at the Tesla Gigafactory, at 1 Electric Ave., located in the area of Storey County, Nevada.

At approximately 1008 hours, I contacted GOURTHRO via telephone and advised him that I was trying to locate, and needed to speak with SHAKAL regarding his possible involvement in this case. I also inquired if he could confirm if SHAKAL was still an employee of Tesla, and on-site at the present time. GOURTHRO requested that I confirm SHAKAL was directly connected to the case, and provide any information I may have about SHAKAL's involvement. I responded that SHAKAL was directly connected, and that I had no pertinent information I was able to share.

Prior to confirming if SHAKAL was on site, GOURTHRO stated that he would need to get authorization from a "NICK DESENTO," [spelling unknown] who was reporting directly to Elon Musk on this matter. At approximately 1045 hours, GOURTHRO advised that "I have him [SHAKAL] confirmed on site [Tesla Gigafactory] until 1800 this evening. Waiting on legal approval to initiate [contact]."

At approximately 1207 hours, GOURTHRO contacted me and state that conversations were being had, and that he was on standby. I thanked GOURTHRO, and asked to be contacted if we would be able to have access to speak with SHAKAL at the facility that day. No further correspondence was received from GOURTHRO.

Prior to my conversation with GOURTHRO, five (5) previous attempts had been made via telephone to establish contact with SHAKAL at his listed phone number ([REDACTED]). Messages were left requesting SHAKAL contact the Storey County Sheriff's Office. The calls were not returned.

My purpose in contacting SHAKAL was two-fold. When I had interviewed TRIPP on 06/20/2018, he had alleged that he'd sold his only firearm to SHAKAL; I wanted to corroborate that information if possible. Secondly, I was attempting to determine if SHAKAL had made, or was connected to the initial report to Tesla's internal call center of a possible active shooter threat . See attachments for information that conversation; received from Officer Ballantyne of the Las Vegas Metro Police Department.

If future contact is made with SHAKAL regarding this case, that information will be included if relevant.

Nothing Further.

Prepared By:

S138 PARKER, CHRISTOPHER

Date:

07/20/2018

Approved By:

S034 DOSEN, TONY

Date:

07/25/2018

TRIPP01261



STOREY COUNTY SHERIFF'S OFFICE
P O BOX 498 VIRGINIA CITY, NV 89440 775-847-0950
SUPPLEMENT 3

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ADDITIONAL PERSONS

Mentioned - SHAKAL, PATRICK JOSEPH DOB: [REDACTED]

Sex: [REDACTED] Race: [REDACTED] Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Address: [REDACTED]

Cell: [REDACTED]

Business Name/Adrs: Tesla Gigafactory, 1 Electric Ave, Sparks, NV 89434

Prepared By:

S138 PARKER, CHRISTOPHER

Date:

07/20/2018

Approved By:

S034 DOSEN, TONY

Date:

07/25/2018

TRIPP01262

TESLA
SECURITY

BOLO

Date: 6/20/2018

DO NOT ALLOW ON PROPERTY

Martin Tripp



TESLA

Information

Report Number:

Name: Martin Tripp

Sex: [REDACTED]

Race: [REDACTED]

Eyes: [REDACTED]

Hair: [REDACTED]

Tattoo or Identifying Marks: [REDACTED]

Notes

Violated HR Policy

Parking Pass: NA

Make: Ford

① FORD HATCHBACK FIESTA (?)
② FORD ESCAPE

Year: 2017/2018

Model: Escape

Color: Blue

① LIME / AVOCADO GREEN
② BLUE

Plate/State: 005C32 NV

① NV 005C31
② NV 006C32

TRIPP01263

Wednesday 4:39 PM

One of the call center operators in Las Vegas just took a call from someone saying they are a friend of Martin Tripp and stating he is heavily armed and on his way to the GigaFactory. See IM screen shot and email below. Call center employee is Shamara Bell



We have an employee in Plant O&M that is on the phone with someone who is reporting that a former employee by the name of Martin Tripe He told her that he is heavily armed and headed for the Giga Factory

1:44 PM

iMessage

Notes

Violated HR Policy

Parking Pass: NA

18-511

From: Brooke Airey
Sent: Wednesday, June 20, 2018 1:56 PM
To: Avery Bustamante; security
Subject: FW: Martin Tripp: Possible Threat

Hi,

One of the call center operators in Las Vegas just took a call from someone saying they are a friend of Martin Tripp and stating he is heavily armed and on his way to the GigaFactory. See IM screen shot and email below. Call center employee is Shamara Bell



We have an employee in Plant O&M that is on the phone with someone who is reporting that a former employee by the name of Martin Tripe He told her that he is heavily armed and headed for the Giga Factory

1:44 PM

Brooke Airey | Operations Manager | Workplace, North America



TESLA

Tony Dosen

From: David Ballantyne [REDACTED]
Sent: Monday, June 25, 2018 6:46 PM
To: Tony Dosen
Cc: [REDACTED]
Subject: FW: Active Shooter
Attachments: doc03229220180625181056.pdf

Chief Deputy Dosen,

I received a request for additional information reference your Tesla case today. I responded to three (3) Tesla locations in Las Vegas to make contact with Shamara Bell. Ultimately, I made contact with one of her supervisors Ashley Ferrigno. Ashley informed me that Shamara was not at work today, due to it being her regular day off. Shamara works Tuesday-Saturday 0800-1700 hours.

Ashley relayed to me that Shamara received the call through the Tesla customer service phone system. The caller refused to identify himself and called from a blocked number. The call came in at approximately 1339 hours on June 20, 2018 from [REDACTED]. The total call duration was 6-minutes and 36-seconds, including when Shamara placed the caller on hold for 2-minutes and 1-second to seek direction from her direct supervisor (Angel Besainz). Attached is a call log report that was provided to me by Ashley. Ashley also informed me that Tesla's phone systems are not currently recorded for quality assurance efforts. The system has been down since sometime last year.

I was unable to meet face-to-face with Shamara; however, I did reach her on the cell phone number [REDACTED] provided to me by Ashley. Shamara told me that the caller wished to remain anonymous and called from a blocked number. She got the call because he rolled over from the Power Wall support queue. She explained that happens when all the call takers in that group are already on calls assisting customers. He stated that his friend use to work for the Gigafactory and that the he was upset because his name was released to the public regarding the reasons behind his termination from Tesla.

She placed the caller on hold to consult with her supervisor because she had never receive a call like this before. When she described the call to Angel, he thought the caller was talking about Tripp. They quickly Googled a news story about the Gigafactory and Tripp. When she returned to the call, she asked the caller if he was talking about Tripp. The caller confirmed that his friend was indeed Tripp.

Due to the public knowledge behind the termination and pending law suit, Tripp became very irate and the caller was concerned he may hurt someone. He described Tripp as heavily armed and extremely volatile. The caller never stated that he heard Tripp make direct threats regarding the Gigafactory; rather, he was simply concerned for peoples safety due to Tripp's volatility.

Shamara stated that you can contact her at the phone number listed above should you have additional questions. Hope this information is of assistance to your investigation. Please let me know if there is anything else I can help with.

Stay safe!!!

Officer David Ballantyne
Southern Nevada Counter Terrorism Center (SNCTC)
Clark County School District Police Department



Websites: www.snctc.org | www.ccsdpd.net | www.lvmpd.com

EXHIBIT I

From: Dave Arnold
Sent: Thursday, June 21, 2018 7:33 AM
To: j.murdock@newsweekgroup.com
Subject: RE: Media comment request re. Legal action - Newsweek

Hi Jason –

I saw your article published, but here's some information on background (not for quotation, but you can paraphrase and attribute to Tesla):

After being caught hacking Tesla's confidential and trade secret information and transferring it to third parties, Mr. Tripp is now claiming he is a "whistleblower." He is nothing of the sort. He is someone who stole Tesla data through highly pernicious means and transferred that data to unknown amounts of third parties, all while making easily disprovable claims about the company in order to try to harm it. As for Mr. Tripp's false claims:

- Mr. Tripp grossly exaggerated the value and amount of scrap material at the Gigafactory. Relying on the internal data that he hacked from Tesla's manufacturing operations system, Tripp incorrectly stated that Tesla has generated nearly \$150 million in scrap at the Gigafactory in 2018. That number is wrong by more than a factor of two.
- Among other things, he included large quantities that were not scrap from 2018 at all, but that were instead items such as materials from last year that had already been included in Tesla's 2017 financials, or that were simply serial numbers assigned as part of routine system testing to components that were never even made.
- Mr. Tripp also admitted to Tesla's investigators that he does not actually know the value of the scrap that he assigned dollar values to. He just guessed.
- The scrap that Tripp claims is being stored unsafely could not possibly pose a safety risk. These pieces are kept in a temperature controlled room and are neither connected nor energized.
- No punctured cells were ever used in Model 3 vehicles in any way. In February 2018, a robot damaged some modules being produced at the Gigafactory, and a team was involved in identifying the scope of the damage. After conducting extensive testing, they threw out the punctured cells, confirmed the safety of the rest, and only then returned just those to the production line. If there was even a sliver of doubt about whether a cell could pose a safety concern, it was not used in any vehicle. Notably, there have been zero battery safety issues in any Model 3.
- With respect to Tripp's claiming that Tesla incorrectly reported the number of Model 3 vehicles produced at the end of Q1, literally thousands of people have ongoing access to the production numbers. It is updated in real-time on screens in the factory, plainly visible to anyone passing by. The claim that Tesla would report the wrong production number is ridiculous.
- On all of these issues, Tripp is either not telling the truth or he simply has no idea what he is talking about.

Also, so you're aware, yesterday afternoon, we received a phone call from a friend of Mr. Tripp telling us that Mr. Tripp would be coming to the Gigafactory to 'shoot the place up.' Police have been notified and actions are being taken to enhance security at the Gigafactory.

Begin forwarded message:

From: Jason Murdock <j.murdock@newsweekgroup.com>
Date: June 21, 2018 at 2:58:31 AM PDT
To: Press@tesla.com, EUPress@tesla.com
Subject: Media comment request re. Legal action - Newsweek

Hi,

Writing from *Newsweek* about the legal filing against former employee Martin Tripp. Are you able to comment on his assertion that he was acting as a whistleblower? Any statement regarding what is the next step in the legal process would also be greatly appreciated.

Best,

Jason Murdock

--

JASON MURDOCK | SENIOR TECH REPORTER

NEWSWEEK

Floor 24, 25 Canada Square, Canary Wharf, London, E14 5LQ

E j.murdock@newsweekgroup.com
W <http://www.newsweek.com/>



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EXHIBIT J

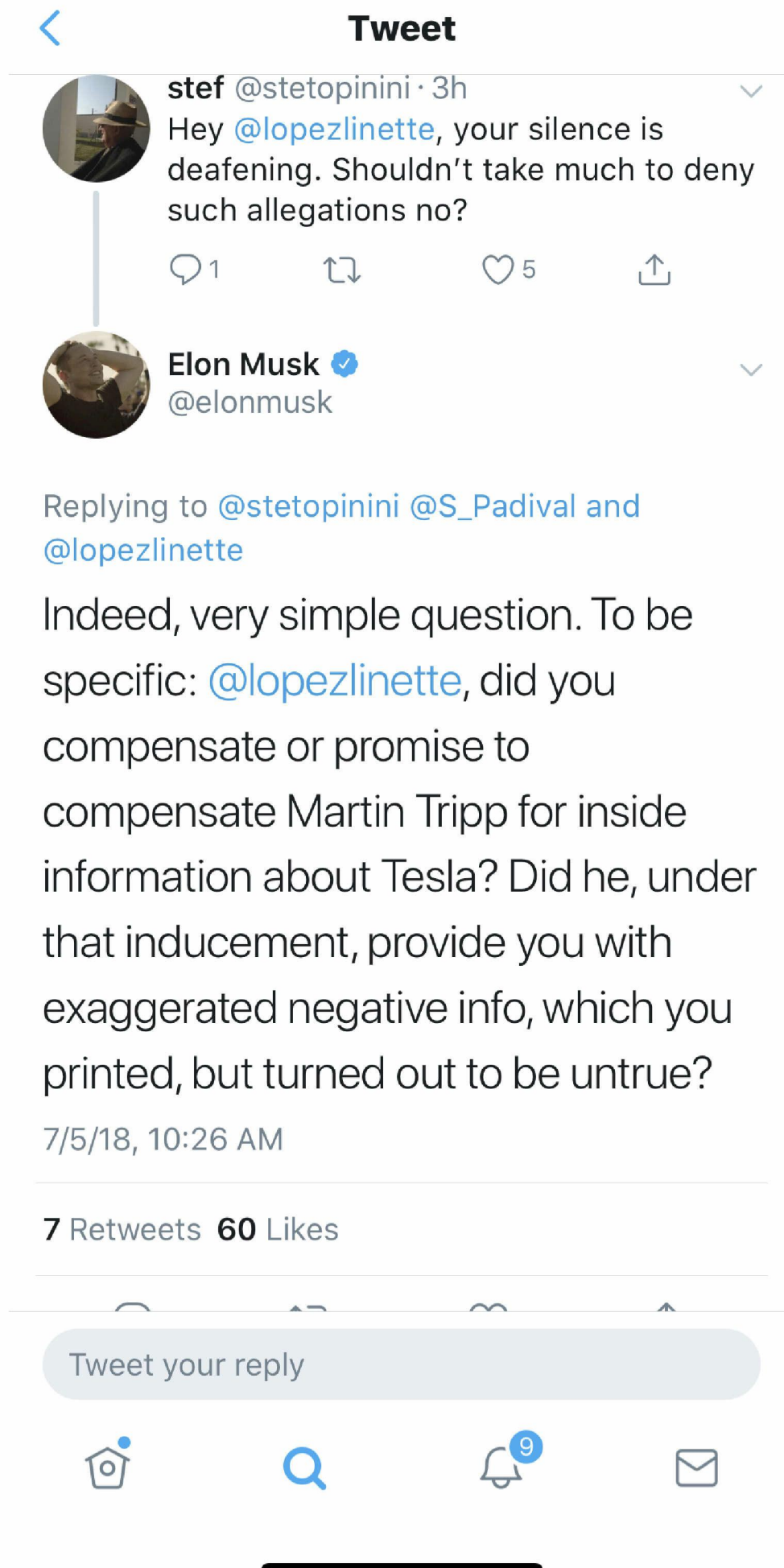


EXHIBIT K



**TIFFANY
& BOSCO**
P.A.

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SHAREHOLDER
DIRECT LINE: (602) 255-6036
E-mail: wmf@tblaw.com

Offices in:
Phoenix, Arizona
Las Vegas, Nevada
San Diego, California
Albuquerque, New Mexico

September 23, 2019

Sean Gates (sgates@charislex.com)
Douglas Beteta (dbeteta@charislex.com)
Charis Lex P.C.
16 N. Marengo Ave., Suite 300
Pasadena, CA 91101

Re: Tesla v. Tripp Case No. 3:18-cv-00296-LRH-CBC
Deposition of Elon Musk

Dear Messrs. Gates and Beteta:

It was previously agreed between counsel, with the Court's endorsement, that the parties would complete the Rule 30(b)(6) depositions before we address the deposition of Elon Musk, even if that occurred after the formal discovery cutoff on September 9, 2019. At 11:00 A.M. on September 12, 2019, Mr. Gates and I held a telephonic meet and confer regarding this topic. Mr. Gates requested that we provide a general list of topics for Elon Musk's deposition, as well as consider a time limitation. This letter is in response to that request.

Elon Musk's deposition may include "any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case," Fed. R. Civ. P. 26(b)(1), including the following topics:

- Any statements made by Elon Musk regarding Martin Tripp.
- Any written or e-mail communications disclosed by Tesla to or from Elon Musk.
- Elon Musk's knowledge of Tesla's investigation of Martin Tripp.
- Elon Musk's knowledge of the matters alleged in Tesla's Complaint and Mr. Tripp's Counterclaim.

- Elon Musk's knowledge of the alleged threat to "shoot up" the Gigafactory, including any statements made to third parties by Elon Musk and Tesla regarding the alleged threat.
- Any efforts by Elon Musk to publicly criticize, threaten legal action against, or undermine the public or professional standing of critics of Elon Musk or Tesla, including without limitation Vernon Unsworth and Lawrence Fossi (aka Montana Skeptic).
- Any matter bearing on Elon Musk's credibility or biases, which are always relevant.

Regarding duration, we are willing to stipulate to limit Elon Musk's deposition to four (4) hours. This is substantially less than the presumed limit of seven (7) hours afforded under Rule 30(d)(1).

Finally, in terms of timing, we anticipate that Elon Musk's deposition testimony will be relevant and necessary in responding to Tesla's forthcoming motion for summary judgment. Given the dispositive motion deadline of October 9, 2019, we would need to conduct Elon Musk's deposition sometime in late October. Accordingly, please let us know no later than Friday, September 27, 2019 if Tesla will make Elon Musk available for his deposition under the conditions above.

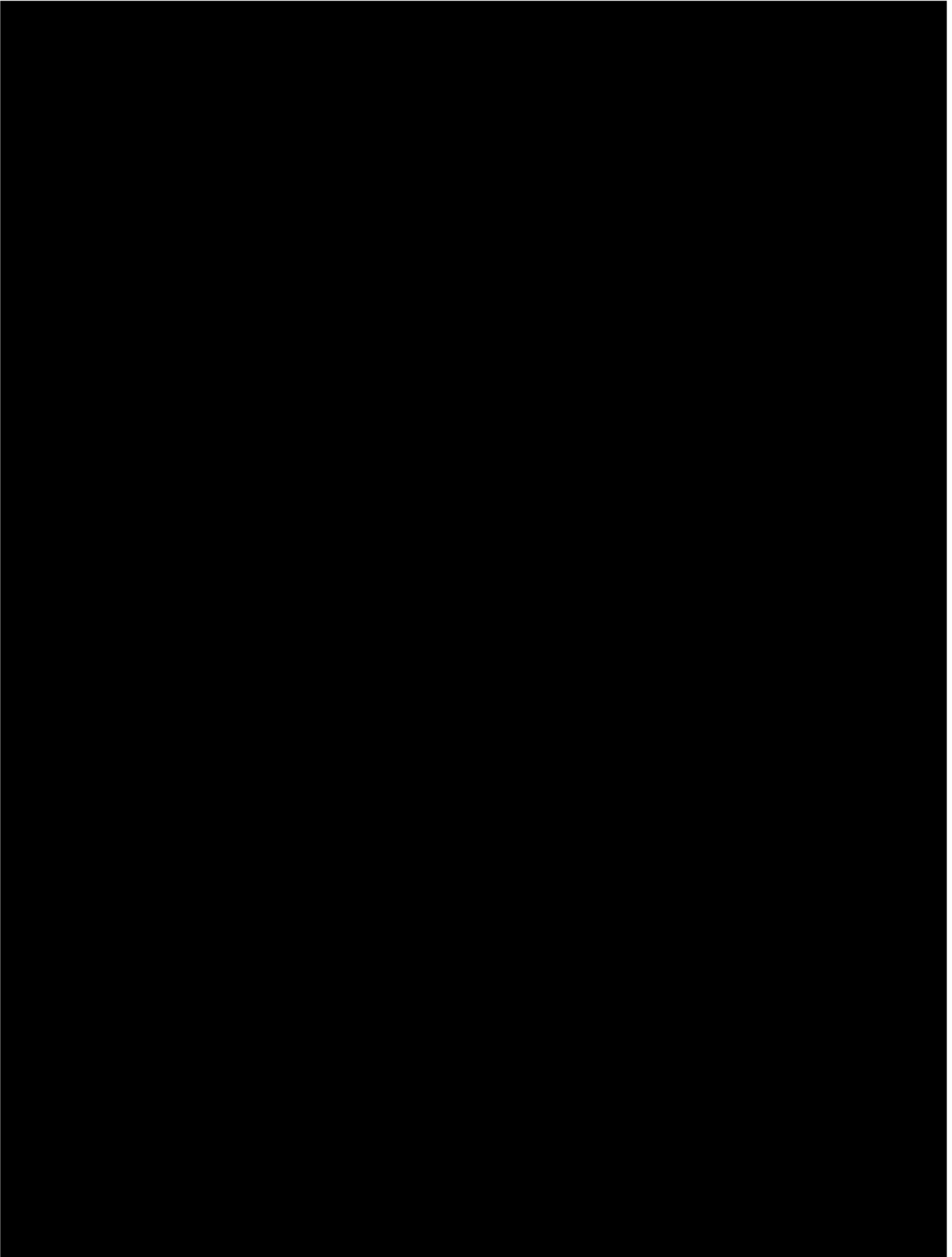
Very truly yours,

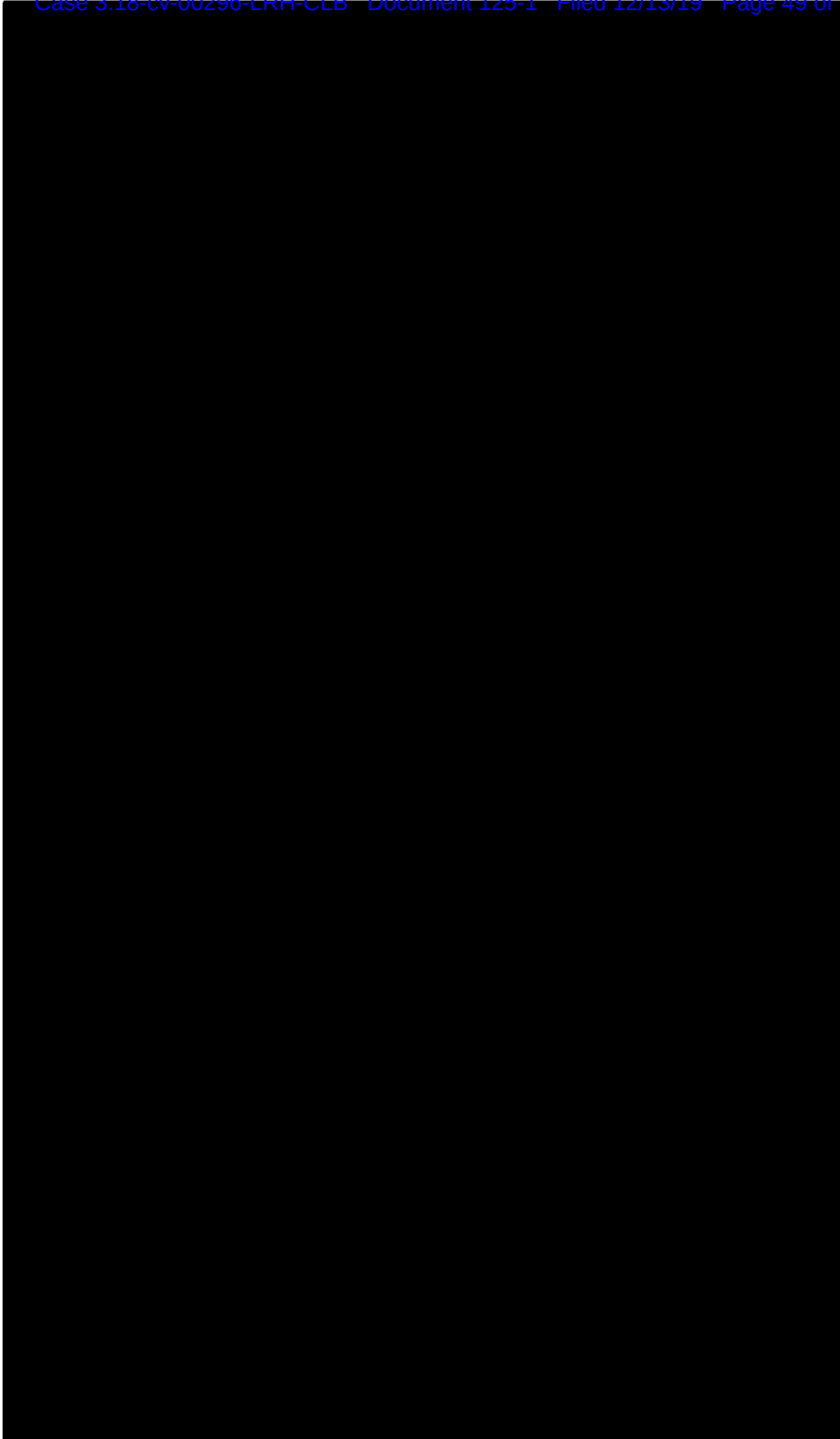
TIFFANY & BOSCO, P.A.



William M. Fischbach

EXHIBIT L





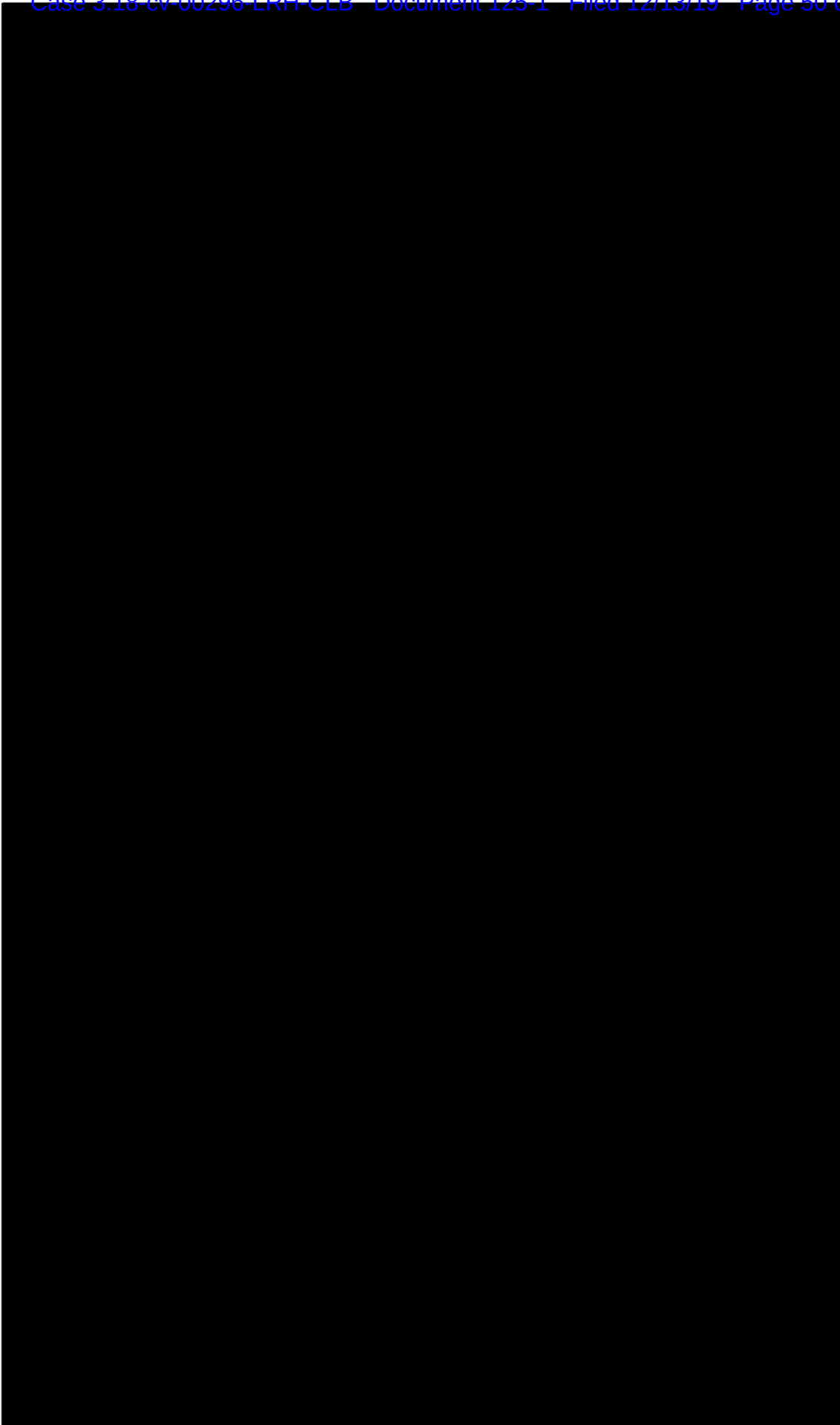
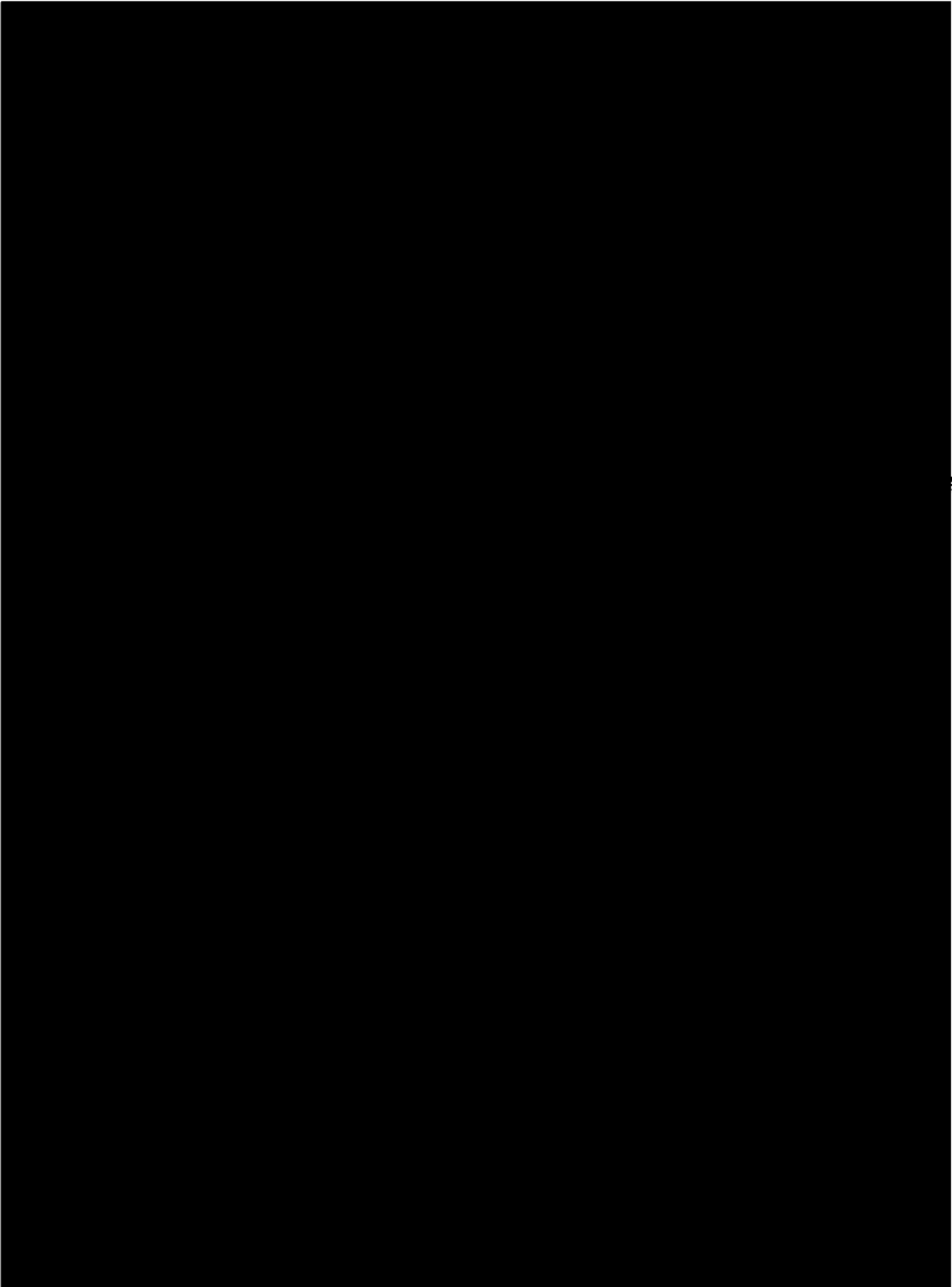


EXHIBIT M



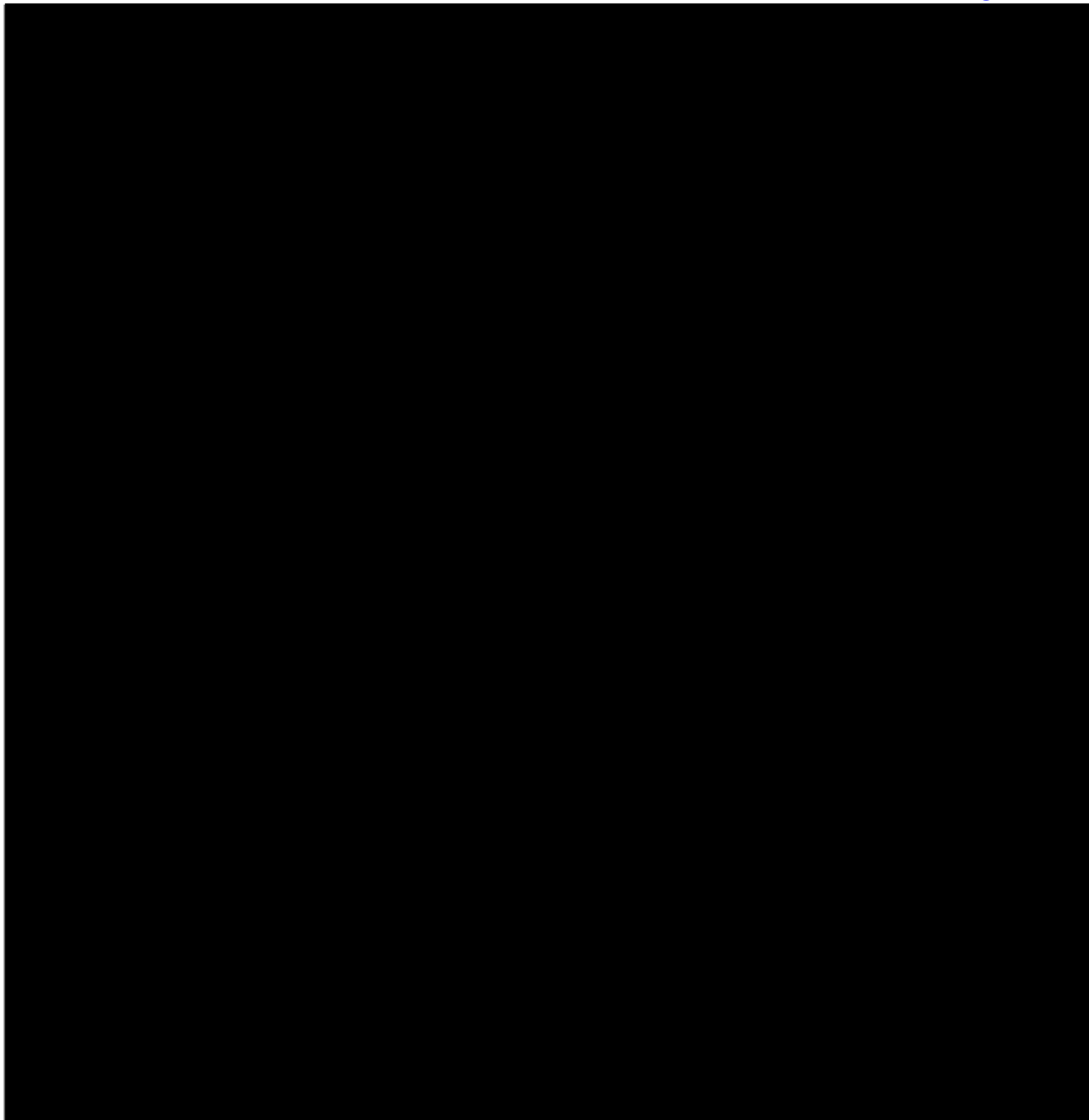


EXHIBIT N

